

6/15/87 VACATION OF ARCADIA AVENUE

Smead®

No. 2-103-1/2L

HASTINGS, MN

LOS ANGELES-CHICAGO-LOGAN, OH

MCGREGOR TX-LOCUST GROVE, GA

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Vacation Granted
with conditions
which must be met
before completion
- this on completion
per. from Hoffman

Minnesota Suburban Newspapers

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)

SS.

COUNTY OF HENNEPIN)

Donald K. Mortenson

, being duly sworn on an oath says that he/she is

the publisher or authorized agent and employee of the publisher of the newspaper known as

Edina Sun-Current

, and has full knowledge of the facts which

are stated below.

(A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper, as provided by Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

(B) The printed Notice of Public Hearing

which is attached was cut from the columns of said newspaper, and was printed and published once each week, for one successive weeks; it was first published on Wednesday, the 27 day of May, 19 87, and was thereafter printed and published on every _____ to and including _____, the _____ day of _____, 19____; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

BY:

Donald K. Mortenson

TITLE:

Operations Manager

Subscribed and sworn to before me on this

27 day of August, 19 87

Notary Public

Meridel M. Hedblom

NOTARY PUBLIC — MINNESOTA

HENNEPIN COUNTY

My commission expires 7-2-92

RATE INFORMATION

- (1) Lowest classified rate paid by commercial users for comparable space
- (2) Maximum rate allowed by law for the above matter
- (3) Rate actually charged for the above matter

\$ 1.85 per line
(Line, word, or inch rate)
\$ 40.1¢ per line
(Line, word, or inch rate)
\$ 38¢ per line
(Line, word, or inch rate)

City of Edina

(Official Publication)

CITY OF EDINA

4801 W. 50th Street

Edina, Minnesota 55424

NOTICE OF PUBLIC HEARING
ON VACATION OF EASEMENT
FOR STREET PURPOSES
IN THE CITY OF EDINA

HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 W. 50th Street on Monday, June 15, 1987, at 7:00 p.m., for the purpose of holding a public hearing on the proposed vacation of the following street:

DESCRIPTION OF PORTION OF ARCADIA AVENUE TO BE VACATED

That part of Arcadia Avenue as dedicated in the recorded plat of Tingdale Bros' Brookside according to the recorded plat thereof, Hennepin County, Minnesota, lying southerly of a line drawn from a point on a line run parallel with and distant 20 feet southerly of the north line of Lot 1, Block 8, said Tingdale Bros' Brookside distant 15 feet west of its intersection with the east line of said Lot 1, to a point on the north line of Lot 17, Block 7, said Tingdale Bros' Brookside, distant 25 feet east of the northwest corner of said Lot 17, Block 7, and lying northerly of the easterly extension of the north line of the roadway easement across Lots 5, 6, 7, said Block 8 as recorded under Document No. 1079434 in the office of the Registrar of Titles, Hennepin County, Minnesota.

PART OF PARCEL 20 S.P. 5-31-3 AND

PART OF PARCEL 388 S.P. 2733 (100 = 130) 903

That part of Tract A described below:

Tract A. All of Lots 1 and 2 except that part of said Lot 2 lying northerly of the following described line: Beginning at a point on the east line of said Lot 2 distant 20 feet south of the northeast corner thereof; thence running southwesterly to a point on the west line of said Lot 2, distant 40 feet south of the northwest corner thereof, Block 8, Tingdale Bros' Brookside, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, the title thereto being registered as evidenced by Certificate of Title No. 539711; which lies northeasterly of Line 1 described below and southerly of Line 2 described below:

Line 1. Beginning at a point on a line run parallel with and distant 20 feet southerly of the north line of said Lot 1, distant 15 feet west of its intersection with the east line of said Lot 1, thence run southeasterly to a point on the east line of said Lot 1, distant 20 feet southerly of said intersection and there terminating;

Line 2. Beginning at the point of beginning of Line 1 described above; thence run easterly to a point on the north line of Lot 17, Block 7, said 'Tingdale Bros.' Brookside, distant 25 feet east of the northwest corner thereof and there terminating;

together with all right of access control, being the right of ingress to and egress from that part of Parcel 388 herein conveyed to the lands adjacent thereto.

PART OF PARCEL

40B S.P. 2733

(100 = 130) 903

That part of Tract A described below:

Tract A. Lots 1, 2, 3, 4, 5, 6, 12, 13, 14, 15, 16 and 17, Block 7, Tingdale Bros' Brookside, including that portion of the south half of Yancy Street vacated, located between extensions northward of the east and west lines of Lots 1 and 17 of said Block 7, but excepting therefrom any portion of said Lots taken by the State of Minnesota for state highway purposes, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, the title thereto being registered as evidenced by Certificate of Title No. 534790; which lies northwesterly of Line 1 described below and southerly of Line 2 described below:

Line 1. Beginning at a point on the north line of Lot 17 said Block 7 distant 25 feet east of the northwest corner thereof; thence run southwesterly to the southwest corner of said Lot 17 and there terminating;

Line 2. Beginning at the point of beginning of Line 1 described above; thence run westerly to a point on a line run parallel with and distant 20 feet southerly of the north line of Lot 1, Block 8, said Tingdale Bros' Brookside, distant 15 feet west of its intersection with the east line of said Lot 1 and there terminating;

together with all right of access control, being the right of ingress to and egress from that part of Parcel 40B herein conveyed to the lands adjacent thereto.

All persons who desire to be heard with respect to the question of whether or not the above proposed street vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed street vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easement, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

Dated this 27th day of May, 1987.

BY ORDER OF THE EDINA CITY COUNCIL
MARCELLA M. DAEHN, City Clerk

(May 27, 1987)-ED

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Minnesota Suburban Newspapers

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)

SS.

COUNTY OF HENNEPIN)

Donald K. Mortenson

, being duly sworn on an oath says that he/she is the publisher or authorized agent and employee of the publisher of the newspaper known as Edina Sun-Current, and has full knowledge of the facts which are stated below.

(A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper, as provided by Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

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which is attached was cut from the columns of said newspaper, and was printed and published once each week, for one successive weeks; it was first published on Wednesday, the 27 day of May, 19 87, and was thereafter printed and published on every _____ to and including _____, the _____ day of _____, 19____; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

BY: Donald K. Mortenson

TITLE: Operations Manager

Subscribed and sworn to before me on this

27 day of August, 19 87.

Notary Public

MERIDEL M. HEDBLOM

NOTARY PUBLIC - MINNESOTA

HENNEPIN COUNTY

My commission expires 7-2-92

RATE INFORMATION

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- (3) Rate actually charged for the above matter

\$	<u>1.85 per line</u>
	(Line, word, or inch rate)
\$	<u>40.1¢ per line</u>
	(Line, word, or inch rate)
\$	<u>38¢ per line</u>
	(Line, word, or inch rate)

City of Edina

(Official Publication)

CITY OF EDINA

4801 W. 50th Street

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ON VACATION OF EASEMENT
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PART OF PARCEL

40B S.P. 2733

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That part of Tract A described below:

Tract A. Lots 1, 2, 3, 4, 5, 6, 12, 13, 14, 15, 16 and 17, Block 7, Tingdale Bros' Brookside, including that portion of the south half of Yancy Street vacated, located between extensions northward of the east and west lines of Lots 1 and 17 of said Block 7, but excepting therefrom any portion of said Lots taken by the State of Minnesota for state highway purposes, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, the title thereto being registered as evidenced by Certificate of Title No. 594790;

which lies northwesterly of Line 1 described below and southerly of Line 2 described below:

Line 1. Beginning at a point on the north line of Lot 17 said Block 7 distant 25 feet east of the northwest corner thereof; thence run southwesterly to the southwest corner of said Lot 17 and there terminating;

Line 2. Beginning at the point of beginning of Line 1 described above; thence run westerly to a point on a line run parallel with and distant 20 feet southerly of the north line of Lot 1, Block 8, said Tingdale Bros' Brookside, distant 15 feet west of its intersection with the east line of said Lot 1 and there terminating;

together with all right of access control, being the right of ingress to and egress from that part of Parcel 40B herein conveyed to the lands adjacent thereto.

All persons who desire to be heard with respect to the question of whether or not the above proposed street vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed street vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easement, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

Dated this 27th day of May, 1987.

BY ORDER OF THE EDINA CITY COUNCIL

MARCELLA M. DAHN, City Clerk

(May 27, 1987) -ED

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there are two things the hospital is willing to do regarding maintenance: 1) they will replace all the grass area between The Colony's parking lot and the ramp, will put in an irrigation system in the entire area and maintain all of that area if The Colony so desires and signs a legal document giving the hospital that right, or 2) the hospital is willing to hire the maintenance people used by The Colony to maintain the hospital's green area adjacent to The Colony. Phillip Smith, President of Colony of Edina Condominium Association, said that, although the revised plan cuts off the northerly 55 feet of the ramp, the residents will still be looking at close to a 600 foot parking ramp. He said that the landscaping appears to offer The Colony some protection but that he was not certain that the ramp facing will make it look like anything other than a parking ramp. As to maintenance of the green area, Mr. Smith said The Colony had no objections to maintaining it as suggested by the hospital and would prefer to do so as to date the hospital has not maintained their side. Mr. Smith then asked if parking ramps are allowed in Regional Medical District zoning. Mr. Larsen responded that parking ramps would be an allowed accessory in RMD zoning. Mr. Smith concluded his remarks by saying that their major concern is the long ramp that will impact The Colony. Alvin Krulik, 6401 Colony Way, summarized his concerns and objections to the proposal as follows: 1) increased traffic congestion, 2) reduction of quality of life for The Colony residents, 3) no need for the medical office building at this site, 4) security problems, 5) visual impact, 6) increased pollutants from additional heating, 7) electronics interference, and 8) impact of the parking ramp. He concluded by asking why allow overbuilding on this site when it reflects so unfavorably on the adjacent residents and urged that the proposal be turned down. No further public comment was made. Member Kelly then introduced the following resolution and moved its adoption, conditioned on: 1) landscaping as proposed including berming and irrigation, and 2) that the hospital enter into an assessment agreement ensuring financial participation in future street and traffic control improvements required on West 65th Street, based on traffic generation:

**RESOLUTION APPROVING FINAL DEVELOPMENT PLAN
FOR FAIRVIEW SOUTHDAL E HOSPITAL**

BE IT RESOLVED by the City Council of the City of Edina, Minnesota, that the Final Development Plan for Fairview Southdale Hospital, 6401 France Avenue, presented at the regular meeting of the City Council of June 15, 1987, be and is hereby approved.

Member Smith moved as amendments these additional conditions: a) that the City have the option to expand the entry/exit to the site in the future if needed, b) that The Colony and hospital enter into a maintenance agreement for the area between the parking ramp and The Colony's parking lot, and c) that the City with other governmental units continue monitoring of the pollutants problem. The motion for amendment a) was seconded by Member Richards but was defeated by a 3 to 2 vote; amendments b) and c) failed for lack of a second. Mayor Courtney then called for a rollcall vote on the motion to adopt the resolution.

Rollcall:

Ayes: Kelly, Richards, Smith, Turner, Courtney
Resolution adopted.

FINAL DEVELOPMENT PLAN APPROVED FOR REGIS CORPORATION; VACATION OF PORTION OF ARCADIA AVENUE GRANTED. The request for final development plan approval and vacation of a portion of Arcadia Avenue affecting the same property, public hearings were conducted concurrently. Planner Craig Larsen recalled that the request for approval of the final development plan for Regis Corporation, 5000 Normandale Road, was continued by the Council at its meeting of May 18, 1987 to allow the opportunity for neighboring property owners to comment on the proposal, specifically, the owners of the Eden 100 Building and The Pantry restaurant. The continuance also allowed time to publish and notify adjacent property owners of the proposed vacation of a portion of Arcadia Avenue. Mr. Larsen said that the proposal remains the same as presented at the May 18, 1987 meeting. The Regis property comprises three sites; their existing headquarters building on the northeast corner, a one-story office building at 5075 Arcadia Avenue containing approximately 4,100 square feet and the Biltmore Bowl and shops at 5113 W. 50th Street. Together the properties are 4.2 acres in size and are zoned Planned Commercial District. Regis Corporation intends to redevelop this site as their new corporate headquarters. Mr. Larsen said that the redevelopment plan calls for demolition of the 4,100 square foot building and the construction of a new 3-story building containing a gross floor area of 23,765 square feet. Total office area will be 41,265 square feet. Regis is proposing 137 parking spaces on the easterly portion of the property. This parking count does not include the 86 spaces provided for the bowling alley. The Zoning Ordinance would require 206 parking spaces for a building of this size. Regis will provide a proof of parking agreement to solve any future parking shortages in support of the variance request. They feel that the number of parking spaces provided by the plan would be adequate for their needs for some time. Mr. Larsen pointed out that the building is situated as far to the east as possible in order to maximize parking on the site. Consequently, building setback variances are necessary along the frontage road of T.H. 100. The plan also needs a temporary variance on the exterior materials for the existing building. Regis has indicated that in about five years they plan to either remove the existing building or re-skin it to meet

ordinance requirements. The plan also proposes the vacation of the northerly portion of Arcadia Avenue. The vacated right of way would provide approximately 21 parking spaces for the redeveloped property. Mr. Larsen noted that the proposed vacation is consistent with recommendations made by BRW in the land use study made of the Grandview area. The Community Development and Planning Commission recommended approval of the final development plan with the following conditions: 1) staff approval of the landscaping plan, 2) execution of a proof of parking agreement, 3) vacation of the Arcadia Avenue right of way by the Council, and 4) that the variance for exterior materials be temporary and be limited to five years. Mr. Larsen said that Mr. Hoffman would review the proposed vacation as it relates to the land use planning and traffic study that BRW has done for the City and to provide an update on what has happened traffic-wise in the Grandview area. Mr. Hoffman recalled that three years ago a traffic study was done on the Grandview area in terms of a traffic flow program. The study identified several issue areas; Issue Area 4 is the area in the vicinity of the northerly portion of Arcadia Avenue. This area was selected for study due to the possible redevelopment of the area and the request by the developer for vacation of a portion of Arcadia Avenue. The resulting design study focused on providing better access to the area and a larger contiguous area for redevelopment. The proposed roadway modification basically consists of realigning the northerly portion of Arcadia Avenue so that it intersects Vernon Avenue opposite Interlachen Boulevard. Mr. Hoffman presented a graphic illustrating traffic counts and turning movement counts for the subject area and what impact the vacation might have for properties on Arcadia Avenue. The Eden 100 building traffic basically would orient to the south to Eden Avenue. He said that he had talked with Ken Johnson, representing The Pantry restaurant, and that Mr. Johnson had supported the proposed vacation with some conditions: 1) that the roadway past the bowling alley and up to Vernon Avenue be signed as Arcadia Avenue, and 2) that the roadway be made to look like a public roadway instead of a driveway for the bowling alley parking lot and that some of the entrances to the parking lot be closed off. It is also proposed to provide a better design on the south leg of the intersection at Vernon Avenue by the use of a narrow median to channel the traffic. Mr. Hoffman also said that he has talked at various times with Hennepin County staff regarding the inadequacy of the traffic signal at Vernon Avenue and Interlachen Boulevard. Hennepin County has advised that they will be including in their 1988 Capital Improvement Program complete revision of the traffic signal at that location. Mr. Hoffman recommended that vacation of the northerly portion of Arcadia Avenue should be conditioned on: 1) retaining a utility easement over the vacated right of way, 2) that the roadway past the bowling alley be rebuilt and realigned by Regis, at its expense, pursuant to City plans to look like a public roadway, and 3) that the bowling alley parking lot be redesigned for interior circulation with the elimination of some of the entrances, pursuant to City plans. Member Kelly asked how the median at the intersection to Vernon Avenue would affect traffic coming out of the liquor store area. Mr. Hoffman explained that it would restrict the access and as a result most vehicles exiting the parking lot will be forced to use the existing driveway at Jerry's. This will require motorists to change their driving habits but it will also provide them with a significantly better approach to the intersection at Vernon Avenue. Member Smith asked if vacated land is buildable. Mr. Hoffman said that the answer is no if there are utilities beneath and we retain an easement to service those utilities. If a developer wanted to build they could relocate the utilities. Vacated land is buildable if there are no utilities involved. Member Turner asked how great the setback variance would be for the new building. Mr. Larsen said that it is 4 feet on the lower floor and increases on the two corners of the building. Michael Plautz, architect for the project, explained that the building is three stories above grade as defined from the west approach side. The base extends out for one story only between the two existing buildings and extends past the setback line as described by Mr. Larsen. The two triangular points vary as much as 7 feet horizontally to the property line. Member Turner then asked if staff foresaw any need to redesign the interchange for T.H. 100 which would be compromised by allowing this building so close to the entrance ramp. Mr. Hoffman said he did not foresee any change at the location of the southerly end of the building. He said there could be some changes at the traffic light but that there would be sufficient right of way for any widening if needed there. Member Kelly commented that she felt it was unusual for variances and the vacation of right of way to be requested with this project and asked if there have been similar projects in the past. Mr. Larsen said he could not recall any specific project and that staff's position comes from the recommendations of the BRW study which would make this site more useful. The vacation of Arcadia Avenue does not harm the overall flow of the traffic and makes sense for the development of the site. As to the variances, staff felt that in order to get adequate parking the building should be located to the east and that because there were no abutting buildings, only the ramp to T.H. 100, that it was a reasonable approach. Member Kelly said she was concerned about allowing a building to be built in front of an existing building that would require variances. Mr. Plautz explained that existing offices for the Regis Corporation are cramped and they need to expand. He said they were given the charge to add 23,000 square feet of office area contiguous to the existing building because Regis has a sizeable investment in it. He said they were faced with what was the proper balance of a footprint to add to this contiguous parcel on the easterly half fronting T.H. 100 that would put in proper

balance parking needs and building needs, given the site constraints. They also wanted to change the imagery of the existing building to more of a corporate look with the use of glass and stone. This is seen as the first step in the redevelopment of the site. In trying to avoid the need for variances they looked at locating the building further to the west and wrapping a ring of parking on the T.H. 100 side. He explained that the site goes up fairly steeply so that it would have been difficult to do and they would have actually ended up with two single loaded ranks of parking on each side of the building instead of one double and one single. It was felt it would be more attractive to push the building towards T.H. 100 and develop the imagery along the highway and landscape it there. That essentially led to the placement of the building as now proposed which they felt is a reasonable request. Nancy Olson, Eden 100 Building, said she represented 20 companies within the building and was also representing Ken Johnson of The Pantry restaurant. She summarized their concerns as follows: 1) safety of the area of the street in front of the bowling alley, 2) visibility for The Pantry - signage off Vernon Avenue and naming the roadway past the bowling alley as Arcadia Avenue, 3) timeliness - need to re-educate tenants and patrons of the restaurant as to the different routing, 4) curbs along the bowling alley parking lot and a curve where Arcadia will dead end to make it look more like a roadway, 5) to have only one entrance and one exit to the bowling alley parking lot with a crosswalk for pedestrians, 6) to move the center line over on Arcadia going down to Eden Avenue so that there is adequate room for parking on the westerly side, and 7) to improve the roadway area adjacent to the liquor store. Ms. Olson concluded by saying that overall they are pleased with the proposed redevelopment and they are willing to accept the vacation of Arcadia Avenue if it will be beneficial to them by improving the existing area and roadway. She added that if the Council takes action to approve the vacation of Arcadia that they want to be assured that the improvements are made as suggested and that the City should request the complete plans for the area before considering approval. Attorney Erickson asked how the City would require the redesign of the parking lot and who would pay for the improvement of the roadway. Mr. Hoffman said that the vacation of Arcadia Avenue should be approved subject to the conditions that he had recommended and that he anticipated that Regis would pay for all the improvements as the result of vacating Arcadia. Chris Fox, Vice President of Regis Corporation, said that they are prepared to make and pay for those changes to the public roadway in front of the bowling alley, i.e. one access on the north, continuous curbing, a more gentle curve to Arcadia, new driveway approaches, required landscaping along the northern edge of that roadway together with pedestrian crosswalks, subject to Council approval for vacating of Arcadia and the other requested variances. Member Smith asked why the variances are so important and what the long range objective is for the Regis Corporation. Mr. Fox responded that their long range plan is to include a substantial office complex on the property. It would include this project as Phase I, would probably include a second and third building, perhaps of comparable size, perhaps as a replacement to their existing building. At this point one of the reasons they are asking for the skin variance is that they want to consider removing the present building. Presently they office about 100 people in the building and really can't consider it at this point without moving the company somewhere else which would be a burden at this particular point in their growth. He stated that they would like to try to move the pieces around and have some flexibility with this project being Phase I. He said they are asking for the variances to maximum the site because they would like to place all of their development on the east side of the site, with the west side of the site being used exclusively for parking. Mr. Fox said they could not build on the Arcadia Avenue easement after vacation because of the major utilities located there. Member Kelly raised the issue of traffic congestion in the future resulting from the Regis redevelopment. Mr. Fox explained that presently the bowling alley and retail uses create in and out traffic. If those uses are removed and you look at the ultimate development of the site of approximately 100-150,000 square feet of office space, he said they believe they will not be causing any more traffic than the current uses generate. No comment or objection being heard from the public, Member Turner introduced the following resolution and moved adoption, subject to the following conditions: 1) staff approval of the landscaping plan, 2) execution of a proof of parking agreement, 3) vacation of Arcadia Avenue right of way, and 4) that the variance for exterior materials be temporary and be limited to five years:

RESOLUTION GRANTING FINAL DEVELOPMENT PLAN APPROVAL
FOR REGIS CORPORATION

BE IT RESOLVED by the City Council of City of Edina, Minnesota, that the Final Development Plan for Regis Corporation, 5000 Normandale Road, presented at the regular meeting of the City Council of June 15, 1987 be and is hereby approved. Motion for adoption of the resolution was seconded by Member Richards.

Member Turner said the reason for moving approval was that the final development plan is consistent with the BRW study and the discussions on the alternatives for the area that BRW presented cover the traffic concerns. It is anticipated that there will be additional traffic with this kind of development here, but with the changes the county is proposing to make and that the developer will make in this area the increased traffic can be handled adequately. Mayor Courtney then called for a rollcall vote on the motion.

Rollcall:

Ayes: Richards, Smith, Turner, Courtney

Nays: Kelly

Member Kelly said her reason for voting no was because of the requested variances. (Member Kelly left the meeting at this point.)

Member Richards then introduced the following resolution and moved adoption, subject to the following conditions which must be met and performed before the vacation is effective: 1) execution by Regis Corporation of a utility easement over the vacated right of way, and 2) reconstruction of the roadway past the bowling alley to roadway standards with curb, all to be done by developer at its expense, pursuant to City plans, and 3) redesign of the bowling alley parking lot for better interior circulation with entrances and exits, all to be done by the developer at its expense, pursuant to plans to be approved by the City Engineer:

RESOLUTION VACATING PORTION OF ARCADIA AVENUE

WHEREAS, a resolution of the City Council, adopted the 18th day of May, 1987 fixed a date for a public hearing on a proposed vacation of a portion of Arcadia Avenue; WHEREAS, two weeks' published and posted notice of said hearing was given and the hearing was held on the 15th day of June, 1987, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and

WHEREAS, the Council deems it to be in the best interest of the City and of the public that said street vacation be made; and

WHEREAS, the Council has considered the extent to which the vacation affects existing easements within the area of the vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, cable television or telephone poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same, or to enter upon such street or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Edina, Hennepin County, Minnesota, that the following described portion of Arcadia Avenue be and is hereby vacated as of June 16, 1987:

Description of Portion of Arcadia Avenue to be Vacated:

That part of Arcadia Avenue as dedicated in the recorded plat of Tingdale Bros' Brookside according to the recorded plat thereof, Hennepin County, Minnesota lying southerly of a line drawn from a point on a line run parallel with and

distant 20 feet southerly of the north line of Lot 1, Block 8, said Tingdale Bros' Brookside distant 15 feet west of its intersection with the east line of said Lot 1, to a point on the north line of Lot 17, Block 7, said Tingdale Bros' Brookside, distant 25 feet east of the northwest corner of said Lot 17, Block 7, and lying northerly of the easterly extension of the north line of the roadway easement across Lots 5, 6, 7, said Block 8 as recorded under Document No. 1079434 in the office of the Registrar of Titles, Hennepin County, Minnesota.

Part of Parcel 20 S.P. 5-31-3 and Part of Parcel 38B S.P. 2733 (100=130) 903

That part of Tract A described below:

Tract A. All of Lots 1 and 2 except that part of said Lot 2 lying northerly of the following described line: Beginning at a point on the east line of said Lot 2 distant 20 feet south of the northeast corner thereof; thence running southwesterly to a point on the west line of said Lot 2, distant 40 feet south of the northwest corner thereof, Block 8, Tingdale Bros.'

Brookside, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, the title hereto being registered as evidenced by Certificate of Title No. 539711; which lies northeasterly of Line 1 described below and southerly of Line 2 described below:

Line 1. Beginning at a point on a line run parallel with and distant 20 feet southerly of the north line of said Lot 1, distant 15 feet west of its intersection with the east line of said Lot 1, thence run southeasterly to a point on the east line of said Lot 1, distant 20 feet southerly of said intersection and there terminating;

Line 2. Beginning at the point of beginning of Line 1 described above; thence run easterly to a point on the north line of Lot 17, Block 7, said Tingdale Bros.' Brookside, distant 25 feet east of the northwest corner thereof and there terminating;

together with all right of access control, being the right of ingress to and egress from that part of Parcel 38B herein conveyed to the lands adjacent thereto.

Part of Parcel 40B S.P. 2733 (100=130) 903

That part of Tract A described below:

Tract A. Lots 1, 2, 3, 4, 5, 6, 12, 13, 14, 15, 16 and 17, Block 7, Tingdale Bros' Brookside, including that portion of the south half of Yancy Street vacated, located between extensions northward of the east and west lines of Lots 1 and 17 of said Block 7, but excepting therefrom any portion of said Lots taken by the State of Minnesota for state highway purposes, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, the title thereto being registered as evidenced by Certificate of Title No. 594790;

which lies northwesterly of Line 1 described below and southerly of Line 2

described below:

Line 1. Beginning at a point on the north line of Lot 17 said Block 7 distant 25 feet east of the northwest corner thereof; thence run southwesterly to the southwest corner of said Lot 17 and there terminating;

Line 2. Beginning at the point of beginning of Line 1 described above; thence run westerly to a point on a line run parallel with and distant 20 feet southerly of the north line of Lot 1, Block 8, said Tingdale Bros.'

Brookside, distant 15 feet west of its intersection with the east line of said Lot 1 and there terminating;

together with all right of access control, being the right of ingress to and egress from that part of Parcel 40B herein conveyed to the lands adjacent thereto.

The City of Edina reserves in favor of itself a utility easement within said described vacated street for the maintenance, replacement, repair and removal of, and for otherwise attending to, underground watermain as deemed necessary by the City of Edina to provide service to customers along this route; and

The City of Edina reserves in favor of Minnesota Gas Company a utility easement within said described vacated street for the maintenance, replacement, repair and removal of, and for otherwise attending to, underground gas lines required to provide service to customers along this route; and

The City of Edina reserves in favor of Northwestern Bell Telephone Company a utility easement within said described vacated street for the maintenance, replacement, repair and removal of, and for otherwise attending to, underground conduit, manholes, cables, wires and poles required for telephone communications and to provide service to customers along this route.

The Clerk is authorized and directed to cause a notice of completion of proceedings to be prepared, entered in the transfer record of the County Auditor, and filed with the County Recorder in accordance with Minnesota Statutes, Section 412.851 upon performance of the three conditions afore set out.

Motion for adoption of the resolution was seconded by Member Turner.

Rollcall:

Ayès: Richards, Smith, Turner, Courtney.

Resolution adopted.

(Member Kelly returned to the meeting at this point.)

*PUBLIC HEARING ON FINAL DEVELOPMENT PLAN FOR BUILDING EXPANSION FOR CINEPLEX ODEON CORPORATION (EDINA THEATRE) CONTINUED TO 7/6/87. Motion of Member Smith was seconded by Member Turner to continue the public hearing on approval of the Final Development Plan for building expansion for Cineplex Odeon Corporation (Edina Theatre) to the meeting of July 6, 1987.

Motion carried on rollcall vote, five ayes.

CONDITIONAL USE PERMIT FOR NORMANDALE LUTHERAN CHURCH BUILDING EXPANSION APPROVED.

Affidavits of notice were presented, approved and ordered placed on file. Planner Graig Larsen presented the request of Normandale Lutheran Church, generally located west of T.H. 100 and south of Valley View Road, for a conditional use permit to allow a building expansion. The expansion would occur in two parts. It would add one floor to the educational wing on the south side and would also include the demolition of and reconstruction of the northerly office wing. The addition to the educational wing would only be partially finished. About one third of the space would be finished for choir rehearsal and a music library. The remainder of the space would be reserved for future needs of the church. The reconstructed northerly wing would provide office space on the upper floor and youth activity and nursery space on the lower floor. The proposed additions would result in a net increase of 16,376 square feet of building area. Mr. Larsen explained that the Zoning Ordinance requires that churches maintain a 50 foot setback from all property lines. The westerly portion of the existing north wing provides a setback of approximately 27 feet. The new wing would increase to 44 feet the setback at this same point. The rest of the main building would provide the required 50 foot setback. He noted that the exterior stairwells in two locations on the north wall provide 33 and 47 foot setbacks. Consequently a 17 foot setback variance is requested. Using 22 inches per seat, as required by the Zoning Ordinance, the church has a capacity of 515 persons. At one parking space for each 3 seats, 172 parking spaces are required. Currently there are 216 parking spaces on the site. Following construction on-site parking will be reduced to 194 spaces. The church has informed staff that their average combined attendance is 640 persons, and that the largest single service attendance is 400 persons. This would result in a parking demand of 133 spaces. Mr. Larsen said that surface parking areas are not screened from the street as required by the Zoning Ordinance. The church has indicated to staff that they are going to improve the landscaping and screening to meet ordinance requirements. A specific plan for this landscaping has not been provided. At its meeting of May 27, 1987 the Community Development and Planning Commission recommended approval of the conditional use permit conditioned on staff approval of a landscaping/screening plan that would comply with ordinance requirements. Lloyd Berquist, architect for the project, said that the expansion to the educational wing on the south side was anticipated when the building was constructed 15 years ago so that the third floor can be added. The reconstruction of the northerly wing will increase that area from approximately 13,000 square feet to 20,000 square feet. Mr. Bergquist said

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

MINNEGASCO by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

NORTHWESTERN BELL by RA Olson ☐ Acceptable ☐ Opposed ☒ Conditional

CONDITIONS WITH RIGHT TO MAINTAIN-REPLACE-REPAIR EXISTING CABLE

N.S.P. by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

ROGERS CABLESYSTEMS by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

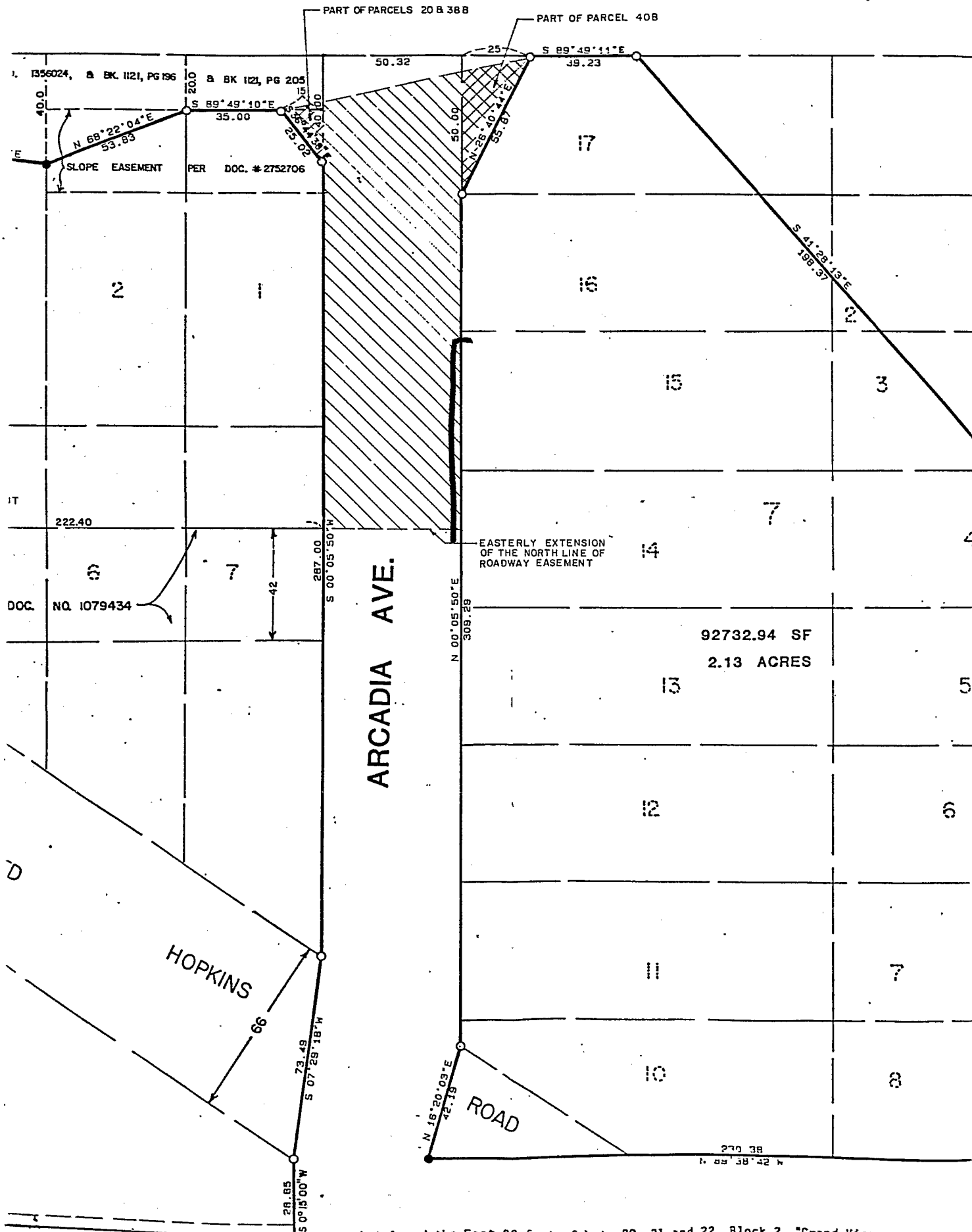
LOCATION Portion of Arcadia Avenue

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

Return to:

City Clerk
City of Edina
4801 W. 50th Street
Edina, MN 55424

VERNON ROAD



CITY OF EDINA
4801 W. 50th Street
Edina, Minnesota 55424

NOTICE OF PUBLIC HEARING
ON VACATION OF EASEMENT FOR STREET PURPOSES
IN THE CITY OF EDINA
HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 W. 50th Street on Monday, June 15, 1987, at 7:00 p.m., for the purpose of holding a public hearing on the proposed vacation of the following street:

DESCRIPTION OF PORTION OF ARCADIA AVENUE TO BE VACATED

That part of Arcadia Avenue as dedicated in the recorded plat of Tingdale Bros' Brookside according to the recorded plat thereof, Hennepin County, Minnesota, lying southerly of a line drawn from a point on a line run parallel with and distant 20 feet southerly of the north line of Lot 1, Block 8, said Tingdale Bros' Brookside distant 15 feet west of its intersection with the east line of said Lot 1, to a point on the north line of Lot 17, Block 7, said Tingdale Bros' Brookside, distant 25 feet east of the northwest corner of said Lot 17, Block 7, and lying northerly of the easterly extension of the north line of the roadway easement across Lots 5, 6, 7, said Block 8 as recorded under Document No. 1079434 in the office of the Registrar of Titles, Hennepin County, Minnesota.

PART OF PARCEL 20 S.P. 5-31-3 AND

PART OF PARCEL 38B S.P. 2733 (100=130) 903

That part of Tract A described below:

Tract A. All of Lots 1 and 2 except that part of said Lot 2 lying northerly of the following described line: Beginning at a point on the east line of said Lot 2 distant 20 feet south of the northeast corner thereof; thence running southwesterly to a point on the west line of said Lot 2, distant 40 feet south of the northwest corner thereof, Block 8, Tingdale Bros.' Brookside, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, the title thereto being registered as evidenced by Certificate of Title No. 539711; which lies northeasterly of Line 1 described below and southerly of Line 2 described below:

Line 1. Beginning at a point on a line run parallel with and distant 20 feet southerly of the north line of said Lot 1, distant 15 feet west of its intersection with the east line of said Lot 1, thence run southeasterly to a point on the east line of said Lot 1, distant 20 feet southerly of said intersection and there terminating;

Line 2. Beginning at the point of beginning of Line 1 described above; thence run easterly to a point on the north line of Lot 17, Block 7, said Tingdale Bros.' Brookside, distant 25 feet east of the northwest corner thereof and there terminating;

together with all right of access control, being the right of ingress to and egress from that part of Parcel 38B herein conveyed to the lands adjacent thereto.

PART OF PARCEL 40B S.P. 2733 (100=130) 903

That part of Tract A described below:

Tract A. Lots 1, 2, 3, 4, 5, 6, 12, 13, 14, 15, 16 and 17, Block 7, Tingdale Bros.' Brookside, including that portion of the south half of Yancy Street vacated, located between extensions northward of the east and west lines of Lots 1 and 17 of said Block 7, but excepting therefrom any portion of said Lots taken by the State of Minnesota for state highway purposes, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, the title thereto being registered as evidenced by Certificate of Title No. 594790;

which lies northwesterly of Line 1 described below and southerly of Line 2 described below:

Line 1. Beginning at a point on the north line of Lot 17 said Block 7 distant 25 feet east of the northwest corner thereof; thence run southwesterly to the southwest corner of said Lot 17 and there terminating;

Line 2. Beginning at the point of beginning of Line 1 described above; thence run westerly to a point on a line run parallel with and distant 20 feet southerly of the north line of Lot 1, Block 8, said Tingdale Bros. Brookside, distant 15 feet west of its intersection with the east line of said Lot 1 and there terminating;

together with all right of access control, being the right of ingress to and egress from that part of Parcel 40B herein conveyed to the lands adjacent thereto.

All persons who desire to be heard with respect to the question of whether or not the above proposed street vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed street vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easement, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL

Marcella M. Daehn, City Clerk

(Official Publication)
CITY OF EDINA
4801 W. 50th Street
Edina, Minnesota 55424

NOTICE OF PUBLIC HEARING
ON VACATION OF EASEMENT FOR STREET PURPOSES
IN THE CITY OF EDINA
HENNEPIN COUNTY, MINNESOTA

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PART OF PARCEL 20 S.P. 5-31-3 AND
PART OF PARCEL 388 S.P. 2733 (100=130) 903

That part of Tract A described below:

Tract A. All of Lots 1 and 2 except that part of said Lot 2 lying northerly of the following described line: Beginning at a point on the east line of said Lot 2 distant 20 feet south of the northeast corner thereof; thence running southwesterly to a point on the west line of said Lot 2, distant 40 feet south of the northwest corner thereof, Block 8, Tingdale Bros' Brookside, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, the title thereto being registered as evidenced by Certificate of Title No. 539711;

which lies northeasterly of Line 1 described below and southerly of Line 2 described below:

Line 1. Beginning at a point on a line run parallel with and distant 20 feet southerly of the north line of said Lot 1, distant 15 feet west of its intersection with the east line of said Lot 1, thence run southeasterly to a point on the east line of said Lot 1, distant 20 feet southerly of said intersection and there terminating;

Line 2. Beginning at the point of beginning of Line 1 described above; thence run easterly to a point on the north line of Lot 17, Block 7, said Tingdale Bros.' Brookside, distant 25 feet east of the northwest corner thereof and there terminating;

together with all right of access control, being the right of ingress to and egress from that part of Parcel 388 herein conveyed to the lands adjacent thereto.

PART OF PARCEL 40B S.P. 2733 (100=130) 903

That part of Tract A described below:

Tract A. Lots 1, 2, 3, 4, 5, 6, 12, 13, 14, 15, 16 and 17, Block 7, Tingdale Bros.' Brookside, including that portion of the south half of Yancy Street vacated, located between extensions northward of the east and west lines of Lots 1 and 17 of said Block 7, but excepting therefrom any portion of said Lots taken by the State of Minnesota for state highway purposes, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, the title thereto being registered as evidenced by Certificate of Title No. 594790;

which lies northwesterly of Line 1 described below and southerly of Line 2 described below:

Line 1. Beginning at a point on the north line of Lot 17 said Block 7 distant 25 feet east of the northwest corner thereof; thence run southwesterly to the southwest corner of said Lot 17 and there terminating;

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Dated this 27th day of May, 1987.

BY ORDER OF THE EDINA CITY COUNCIL

Marcella M. Daehn, City Clerk

Please publish in the Edina Sun-Current on May 27 and June 3, 1987.
Please send two Affidavits of Publication.

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

MINNEGASCO by Stana VonRugen ☐ Acceptable ☒ Opposed ☐ Conditional

CONDITIONS _____

NORTHWESTERN BELL by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

N.S.P. by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

ROGERS CABLESYSTEMS by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS 6-4-87
We must oppose this vacation unless suitable easement
rights are reserved to us, pursuant to MSA 160.29, over

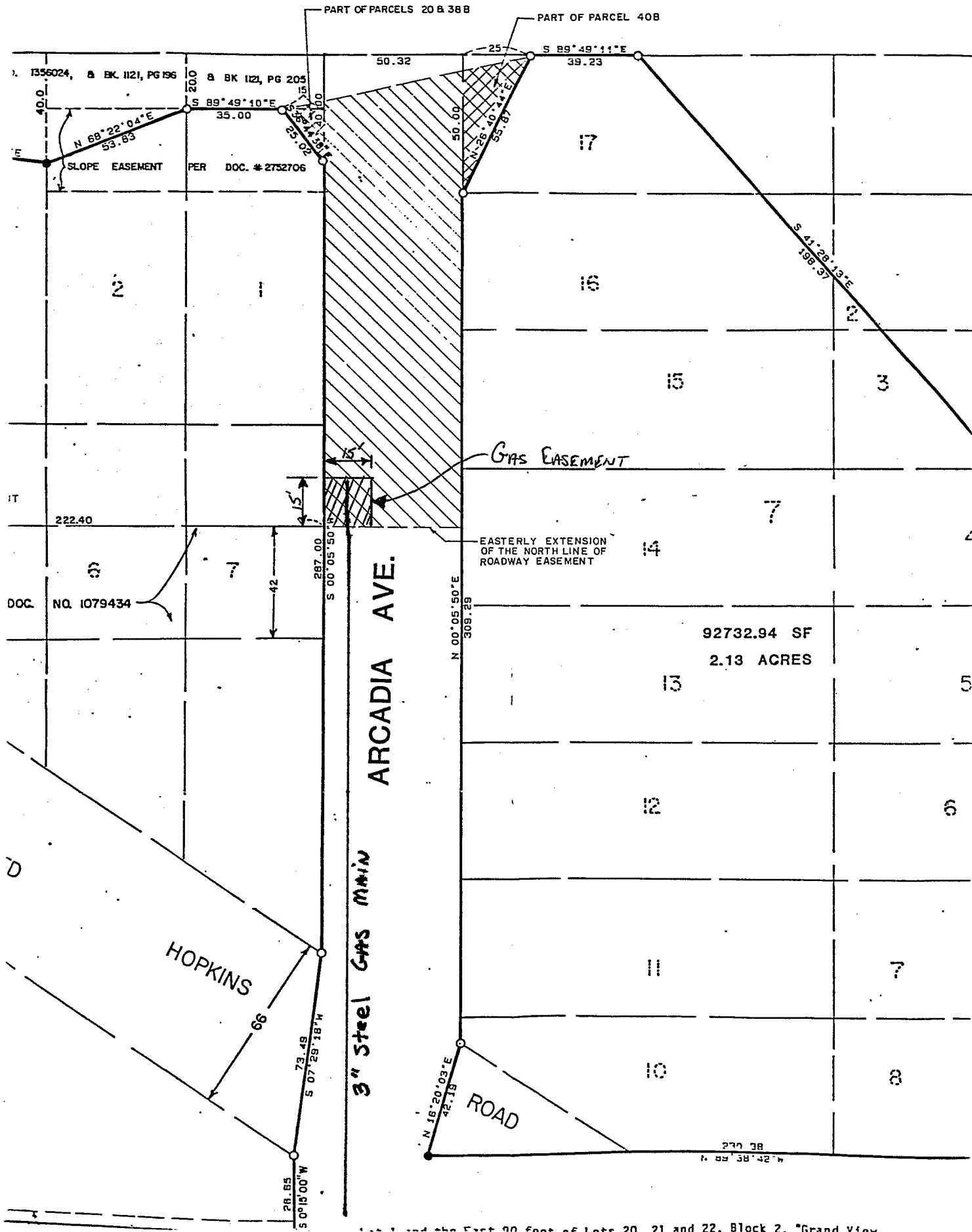
LOCATION Portion of Arcadia Avenue the south 15 feet of the
west 15 feet of the described vacation, as shown
on the attached map.

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

Return to:

City Clerk
City of Edina
4801 W. 50th Street
Edina, MN 55424

VERNON ROAD



Minnesota Suburban Newspapers, Inc.

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)

ss.

COUNTY OF HENNEPIN)

Donald K. Mortenson

, being duly sworn on an oath says that he/she
is the publisher or authorized agent and employee of the publisher of the newspaper known as
Edina Sun-Current, and has full knowledge of the facts which
are stated below.

(A) The newspaper has complied with all of the requirements constituting qualification as a qualified
newspaper, as provided by Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

(B) The printed Notice of Public Hearing

which is attached was cut from the columns of said newspaper; and was printed and published once each
week, for two successive weeks; it was first published on Wednesday, the 27 day
of May, 1987, and was thereafter printed and published on every Wednesday to
and including Wednesday, the 3 day of June, 1987, and printed below is
a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size
and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

BY:

TITLE: Operations Manager

Subscribed and sworn to before me on this

12 day of June, 1987

Notary Public

MERIDEL M. HEDBLOM

NOTARY PUBLIC — MINNESOTA

HENNEPIN COUNTY

My commission expires 7-2-92

RATE INFORMATION

(1) Lowest classified rate paid by commercial users
for comparable space

\$ 1.85 per line
(Line, word, or inch rate)

(2) Maximum rate allowed by law for the above matter

\$ 40.1¢ per line
(Line, word, or inch rate)

(3) Rate actually charged for the above matter

\$ 38¢ per line
(Line, word, or inch rate)

City of Edina

(Official Publication)
CITY OF EDINA
4801 W. 50th Street
Edina, Minnesota 55424
NOTICE OF PUBLIC HEARING
ON VACATION OF EASEMENT
FOR STREET PURPOSES
IN THE CITY OF EDINA

HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 W. 50th Street on Monday, June 15, 1987, at 7:00 p.m., for the purpose of holding a public hearing on the proposed vacation of the following street:

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PART OF PARCEL 20 S.P. 5-31-3 AND

PART OF PARCEL 388 S.P. 2733 (100 = 130) 903

That part of Tract A described below:

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Line 1. Beginning at a point on a line run parallel with and distant 20 feet southerly of the north line of said Lot 1, distant 15 feet west of its intersection with the east line of said Lot 1, thence run southeasterly to a point on the east line of said Lot 1, distant 20 feet southerly of said intersection and there terminating;

Line 2. Beginning at the point of beginning of Line 1 described above; thence run easterly to a point on the north line of Lot 17, Block 7, said Tingdale Bros' Brookside, distant 25 feet east of the northwest corner thereof and there terminating;

together with all right of access control, being the right of ingress to and egress from that part of Parcel 388 herein conveyed to the lands adjacent thereto.

PART OF PARCEL

40B S.P. 2733
(100 = 130) 903

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together with all right of access control, being the right of ingress to and egress from that part of Parcel 40B herein conveyed to the lands adjacent thereto.

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Dated this 27th day of May, 1987.

BY ORDER OF THE EDINA CITY COUNCIL

MARCELLA M. DAEHN, City Clerk

(May 27 & June 3, 1987) - ED

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Minnesota Suburban Newspapers, Inc.

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)

SS.

COUNTY OF HENNEPIN)

Donald K. Mortenson

, being duly sworn on an oath says that he/she

is the publisher or authorized agent and employee of the publisher of the newspaper known as

Edina Sun-Current

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are stated below.

(A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper, as provided by Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

(B) The printed Notice of Public Hearing

which is attached was cut from the columns of said newspaper, and was printed and published once each week, for two successive weeks; it was first published on Wednesday, the 27 day of May, 1987, and was thereafter printed and published on every Wednesday to and including Wednesday, the 3 day of June, 1987, and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

BY:

Donald K. Mortenson

TITLE:

Operations Manager

Subscribed and sworn to before me on this

12 day of June, 1987

Notary Public

MERIDEL M. HEDBLOM

NOTARY PUBLIC — MINNESOTA

HENNEPIN COUNTY

My commission expires 7-2-92

RATE INFORMATION

(1) Lowest classified rate paid by commercial users for comparable space

\$ 1.85 per line

(Line, word, or inch rate)

(2) Maximum rate allowed by law for the above matter

\$ 40.1¢ per line

(Line, word, or inch rate)

(3) Rate actually charged for the above matter

\$ 38¢ per line

(Line, word, or inch rate)

City of Edina

(Official Publication)

CITY OF EDINA

4801 W. 50th Street

Edina, Minnesota 55424

NOTICE OF PUBLIC HEARING
ON VACATION OF EASEMENT
FOR STREET PURPOSES
IN THE CITY OF EDINA

HENNEPIN COUNTY, MINNESOTA

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PART OF PARCEL 388 S.P. 2733 (100 = 130) 903

That part of Tract A described below:
Tract A. All of Lots 1 and 2 except that part of said Lot 2 lying northerly of the following described line: Beginning at a point on the east line of said Lot 2 distant 20 feet south of the northeast corner thereof; thence running southwesterly to a point on the west line of said Lot 2, distant 40 feet south of the northwest corner thereof, Block 8, Tingdale Bros' Brookside, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, the title thereto being registered as evidenced by Certificate of Title No. 539711; which lies northeasterly of Line 1 described below and southerly of Line 2 described below:

Line 1. Beginning at a point on a line run parallel with and distant 20 feet southerly of the north line of said Lot 1, distant 15 feet west of its intersection with the east line of said Lot 1, thence run southeasterly to a point on the east line of said Lot 1, distant 20 feet southerly of said intersection and there terminating;

Line 2. Beginning at the point of beginning of Line 1 described above; thence run easterly to a point on the north line of Lot 17, Block 7, said Tingdale Bros' Brookside, distant 25 feet east of the northwest corner thereof and there terminating;
together with all right of access control, being the right of ingress to and egress from that part of Parcel 388 herein conveyed to the lands adjacent thereto.

PART OF PARCEL

40B S.P. 2733

(100 = 130) 903

That part of Tract A described below:
Tract A. Lots 1, 2, 3, 4, 5, 6, 12, 13, 14, 15, 16 and 17, Block 7, Tingdale Bros' Brookside, including that portion of the south half of Yancy Street vacated, located between extensions northward of the east and west lines of Lots 1 and 17 of said Block 7, but excepting therefrom any portion of said Lots taken by the State of Minnesota for state highway purposes, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, the title thereto being registered as evidenced by Certificate of Title No. 594790; which lies northwesterly of Line 1 described below and southerly of Line 2 described below:

Line 1. Beginning at a point on the north line of Lot 17 said Block 7 distant 25 feet east of the northwest corner thereof; thence run southwesterly to the southwest corner of said Lot 17 and there terminating;

Line 2. Beginning at the point of beginning of Line 1 described above; thence run westerly to a point on a line run parallel with and distant 20 feet southerly of the north line of Lot 1, Block 8, said Tingdale Bros' Brookside, distant 15 feet west of its intersection with the east line of said Lot 1 and there terminating;

together with all right of access control, being the right of ingress to and egress from that part of Parcel 40B herein conveyed to the lands adjacent thereto.

All persons who desire to be heard with respect to the question of whether or not the above proposed street vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed street vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easement, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

Dated this 27th day of May, 1987.

BY ORDER OF THE EDINA CITY COUNCIL

MARCELLA M. DAEHN, City Clerk

(May 27 & June 3, 1987) -ED

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STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

MINNEGASCO by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

NORTHWESTERN BELL by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

N.S.P. by SE. Fraser ☒ Acceptable ☐ Opposed ☐ Conditional

ROGERS CABLESYSTEMS by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

LOCATION Portion of Arcadia Avenue

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

Return to:

City Clerk
City of Edina
4801 W. 50th Street
Edina, MN 55424

PUBLIC RIGHT-OF-WAY VACATION APPLICATION

Date Initiated 20 May 1987

- 1) I hereby petition the City Council of the City of Edina to vacate all of the following described public right-of-way:

<input checked="" type="checkbox"/> Street	<input type="checkbox"/> Alley	<input type="checkbox"/> Utility Easement
<input type="checkbox"/> Drainage Easement	<input type="checkbox"/> Other _____	(describe)

Description of area proposed to be vacated:

see attached TOTAL 75.00
05/20/87

Attached copy of scaled drawing showing in full detail the proposed vacation.

Signature

Regis Corporation
 Address 5000 Normandale Road
 Edina, MN 55436

CHRISTOPHER A. FOX
 Vice President

Telephone 929-6776

- 2) Review

CITY ENGINEER by RJD ☒ Acceptable ☐ Opposed ☐ Conditional

Conditions _____

MINNEGASCO by ☐ Acceptable ☐ Opposed ☐ Conditional

Conditions _____

N.W. BELL by ☐ Acceptable ☐ Opposed ☐ Conditional

Conditions _____

N.S.P. by ☐ Acceptable ☐ Opposed ☐ Conditional

Conditions _____

DESCRIPTION OF PORTION OF ARCADIA AVENUE TO BE VACATED

That part of Arcadia Avenue as dedicated in the recorded plat of Tingdale Bros' Brookside according to the recorded plat thereof, Hennepin County, Minnesota, lying southerly of a line drawn from a point on a line run parallel with and distant 20 feet southerly of the north line of Lot 1, Block 8, said Tingdale Bros' Brookside distant 15 feet west of its intersection with the east line of said Lot 1, to a point on the north line of Lot 17, Block 7, said Tingdale Bros' Brookside, distant 25 feet east of the northwest corner of said Lot 17, Block 7, and lying northerly of the easterly extension of the north line of the roadway easement across Lots 5, 6, 7, said Block 8 as recorded under Document No. 1079434 in the office of the Registrar of Titles, Hennepin County, Minnesota.

PART OF PARCEL 20 S.P. 5-31-3 AND PART OF PARCEL 388 S.P. 2733 (100=130) 903

That part of Tract A described below:

Tract A. All of Lots 1 and 2 except that part of said Lot 2 lying northerly of the following described line: Beginning at a point on the east line of said Lot 2 distant 20 feet south of the northeast corner thereof; thence running southwesterly to a point on the west line of said Lot 2, distant 40 feet south of the northwest corner thereof, Block 8, Tingdale Bros' Brookside, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, the title thereto being registered as evidenced by Certificate of Title No. 539711;

which lies northeasterly of Line 1 described below and southerly of Line 2 described below:

Line 1. Beginning at a point on a line run parallel with and distant 20 feet southerly of the north line of said Lot 1, distant 15 feet west of its intersection with the east line of said Lot 1, thence run southeasterly to a point on the east line of said Lot 1, distant 20 feet southerly of said intersection and there terminating;

Line 2. Beginning at the point of beginning of Line 1 described above; thence run easterly to a point on the north line of Lot 17, Block 7, said Tingdale Bros' Brookside, distant 25 feet east of the northwest corner thereof and there terminating;

together with all right of access control, being the right of ingress to and egress from that part of Parcel 388 herein conveyed to the lands adjacent thereto.

PART OF PARCEL 40B S.P. 2733 (100=130) 903

That part of Tract A described below:

Tract A. Lots 1, 2, 3, 4, 5, 6, 12, 13, 14, 15, 16 and 17, Block 7, Tingdale Bros.' Brookside, including that portion of the south half of Yancy Street vacated, located between extensions northward of the east and west lines of Lots 1 and 17 of said Block 7, but excepting therefrom any portion of said Lots taken by the State of Minnesota for state highway purposes, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, the title thereto being registered as evidenced by Certificate of Title No. 594790;

which lies northwesterly of Line 1 described below and southerly of Line 2 described below:

OK
Line 1. Beginning at a point on the north line of Lot 17 said Block 7 distant 25 feet east of the northwest corner thereof; thence run southwesterly to the southwest corner of said Lot 17 and there terminating;

Line 2. Beginning at the point of beginning of Line 1 described above; thence run westerly to a point on a line run parallel with and distant 20 feet southerly of the north line of Lot 1, Block 8, said Tingdale Bros.' Brookside, distant 15 feet west of its intersection with the east line of said Lot 1 and there terminating;

together with all right of access control, being the right of ingress to and egress from that part of Parcel 40B herein conveyed to the lands adjacent thereto.

CITY OF EDINA
4801 W. 50th Street
Edina, Minnesota 55424

NOTICE OF PUBLIC HEARING
ON VACATION OF EASEMENT FOR STREET PURPOSES
IN THE CITY OF EDINA
HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 W. 50th Street on Monday, June 15, 1987, at 7:00 p.m., for the purpose of holding a public hearing on the proposed vacation of the following street:

DESCRIPTION OF PORTION OF ARCADIA AVENUE TO BE VACATED

That part of Arcadia Avenue as dedicated in the recorded plat of Tingdale Bros' Brookside according to the recorded plat thereof, Hennepin County, Minnesota, lying southerly of a line drawn from a point on a line run parallel with and distant 20 feet southerly of the north line of Lot 1, Block 8, said Tingdale Bros' Brookside distant 15 feet west of its intersection with the east line of said Lot 1, to a point on the north line of Lot 17, Block 7, said Tingdale Bros' Brookside, distant 25 feet east of the northwest corner of said Lot 17, Block 7, and lying northerly of of the easterly extension of the north line of the roadway easement across Lots 5, 6, 7, said Block 8 as recorded under Document No. 1079434 in the office of the Registrar of Titles, Hennepin County, Minnesota.

PART OF PARCEL 20 S.P. 5-31-3 AND

PART OF PARCEL 38B S.P. 2733 (100=130) 903

That part of Tract A described below:

Tract A. All of Lots 1 and 2 except that part of said Lot 2 lying northerly of the following described line: Beginning at a point on the east line of said Lot 2 distant 20 feet south of the northeast corner thereof; thence running southwesterly to a point on the west line of said Lot 2, distant 40 feet south of the northwest corner thereof, Block 8, Tingdale Bros.' Brookside, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, the title thereto being registered as evidenced by Certificate of Title No. 539711; which lies northeasterly of Line 1 described below and southerly of Line 2 described below:

Line 1. Beginning at a point on a line run parallel with and distant 20 feet southerly of the north line of said Lot 1, distant 15 feet west of its intersection with the east line of said Lot 1, thence run southeasterly to a point on the east line of said Lot 1, distant 20 feet southerly of said intersection and there terminating;

Line 2. Beginning at the point of beginning of Line 1 described above; thence run easterly to a point on the north line of Lot 17, Block 7, said Tingdale Bros.' Brookside, distant 25 feet east of the northwest corner thereof and there terminating;

together with all right of access control, being the right of ingress to and egress from that part of Parcel 38B herein conveyed to the lands adjacent thereto.

PART OF PARCEL 40B S.P. 2733 (100=130) 903

That part of Tract A described below:

Tract A. Lots 1, 2, 3, 4, 5, 6, 12, 13, 14, 15, 16 and 17, Block 7, Tingdale Bros.' Brookside, including that portion of the south half of Yancy Street vacated, located between extensions northward of the east and west lines of Lots 1 and 17 of said Block 7, but excepting therefrom any portion of said Lots taken by the State of Minnesota for state highway purposes, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, the title thereto being registered as evidenced by Certificate of Title No. 594790;

which lies northwesterly of Line 1 described below and southerly of Line 2 described below:

Line 1. Beginning at a point on the north line of Lot 17 said Block 7 distant 25 feet east of the northwest corner thereof; thence run southwesterly to the southwest corner of said Lot 17 and there terminating;

Line 2. Beginning at the point of beginning of Line 1 described above; thence run westerly to a point on a line run parallel with and distant 20 feet southerly of the north line of Lot 1, Block 8, said Tingdale Bros.' Brookside, distant 15 feet west of its intersection with the east line of said Lot 1 and there terminating;

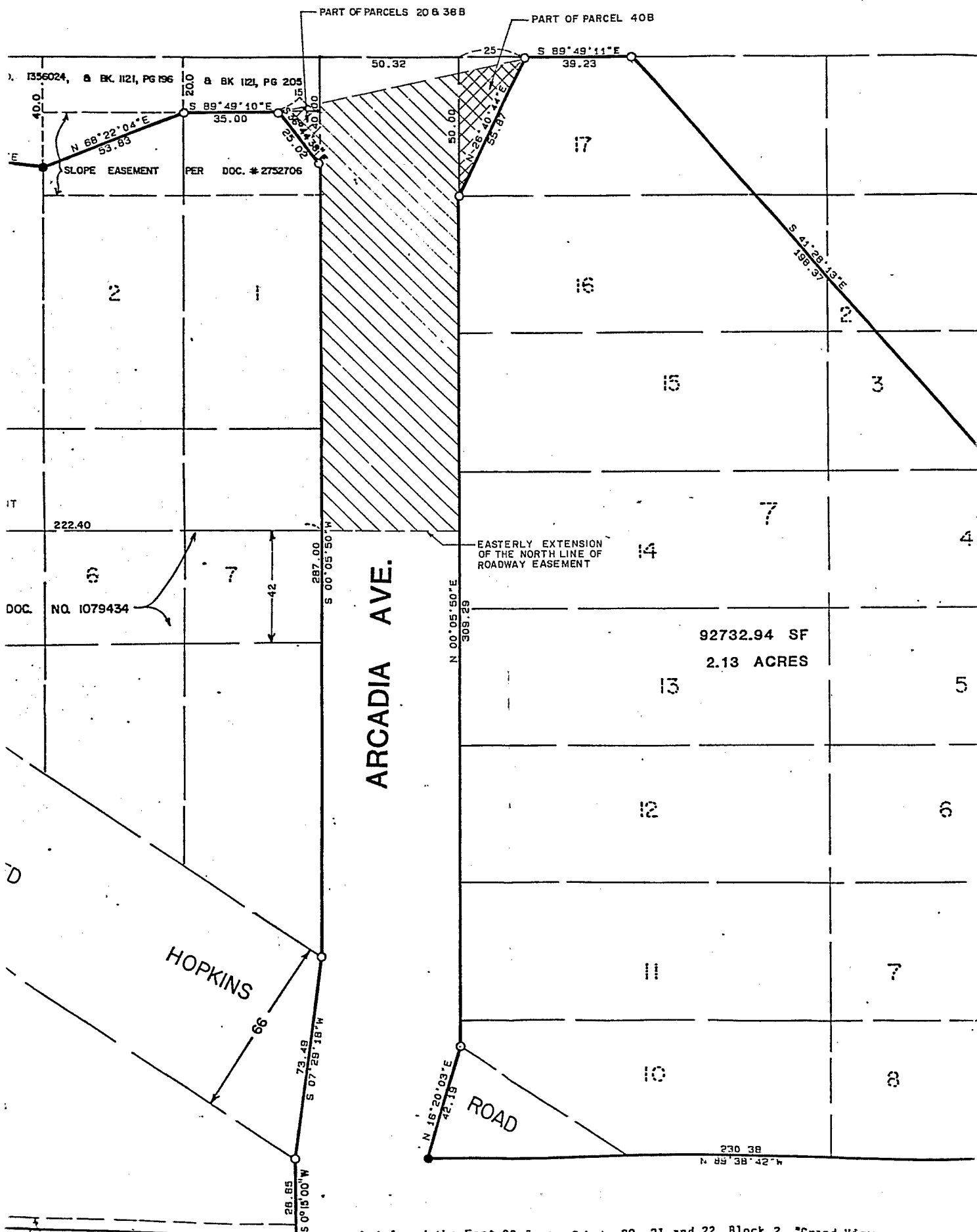
together with all right of access control, being the right of ingress to and egress from that part of Parcel 40B herein conveyed to the lands adjacent thereto.

All persons who desire to be heard with respect to the question of whether or not the above proposed street vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed street vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easement, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL

Marcella M. Daehn, City Clerk

VERNON ROAD



STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
CITY OF EDINA)

CERTIFICATE OF POSTING NOTICE

I, the undersigned duly appointed and acting ~~Police Patrolman~~ ^{community service officer} for the City of Edina, County of Hennepin, State of Minnesota, do hereby certify that I have on this date posted copies of the attached and foregoing

NOTICE OF PUBLIC HEARING - VACATION OF PORTION OF ARCADIA AVENUE

on three official City Bulletin Boards, as follows:

- 1) City Hall, 4801 W. 50th Street
- 2) 50th and France Business Area, 3943 W. 50th Street
- 3) Amundson Avenue Shopping Center

Dated 060187

Signed

[Signature]
~~Police Patrolman~~
community service officer

Signed and sworn to before me, a Notary Public
in and for Hennepin County, Minnesota, this
1st day of June, 1987.

Nancy Karkhoff



CITY OF EDINA
4801 W. 50th Street
Edina, Minnesota 55424

NOTICE OF PUBLIC HEARING
ON VACATION OF EASEMENT FOR STREET PURPOSES
IN THE CITY OF EDINA
HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 W. 50th Street on Monday, June 15, 1987, at 7:00 p.m., for the purpose of holding a public hearing on the proposed vacation of the following street:

DESCRIPTION OF PORTION OF ARCADIA AVENUE TO BE VACATED

That part of Arcadia Avenue as dedicated in the recorded plat of Tingdale Bros' Brookside according to the recorded plat thereof, Hennepin County, Minnesota, lying southerly of a line drawn from a point on a line run parallel with and distant 20 feet southerly of the north line of Lot 1, Block 8, said Tingdale Bros' Brookside distant 15 feet west of its intersection with the east line of said Lot 1, to a point on the north line of Lot 17, Block 7, said Tingdale Bros' Brookside, distant 25 feet east of the northwest corner of said Lot 17, Block 7, and lying northerly of of the easterly extension of the north line of the roadway easement across Lots 5, 6, 7, said Block 8 as recorded under Document No. 1079434 in the office of the Registrar of Titles, Hennepin County, Minnesota.

PART OF PARCEL 20 S.P. 5-31-3 AND

PART OF PARCEL 38B S.P. 2733 (100=130) 903

That part of Tract A described below:

Tract A. All of Lots 1 and 2 except that part of said Lot 2 lying northerly of the following described line: Beginning at a point on the east line of said Lot 2 distant 20 feet south of the northeast corner thereof; thence running southwesterly to a point on the west line of said Lot 2, distant 40 feet south of the northwest corner thereof, Block 8, Tingdale Bros.' Brookside, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, the title thereto being registered as evidenced by Certificate of Title No. 539711; which lies northeasterly of Line 1 described below and southerly of Line 2 described below:

Line 1. Beginning at a point on a line run parallel with and distant 20 feet southerly of the north line of said Lot 1, distant 15 feet west of its intersection with the east line of said Lot 1, thence run southeasterly to a point on the east line of said Lot 1, distant 20 feet southerly of said intersection and there terminating;

Line 2. Beginning at the point of beginning of Line 1 described above; thence run easterly to a point on the north line of Lot 17, Block 7, said Tingdale Bros.' Brookside, distant 25 feet east of the northwest corner thereof and there terminating;

together with all right of access control, being the right of ingress to and egress from that part of Parcel 38B herein conveyed to the lands adjacent thereto.

PART OF PARCEL 40B S.P. 2733 (100=130) 903

That part of Tract A described below:

Tract A. Lots 1, 2, 3, 4, 5, 6, 12, 13, 14, 15, 16 and 17, Block 7, Tingdale Bros.' Brookside, including that portion of the south half of Yancy Street vacated, located between extensions northward of the east and west lines of Lots 1 and 17 of said Block 7, but excepting therefrom any portion of said Lots taken by the State of Minnesota for state highway purposes, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, the title thereto being registered as evidenced by Certificate of Title No. 594790;

which lies northwesterly of Line 1 described below and southerly of Line 2 described below:

Line 1. Beginning at a point on the north line of Lot 17 said Block 7 distant 25 feet east of the northwest corner thereof; thence run southwesterly to the southwest corner of said Lot 17 and there terminating;

Line 2. Beginning at the point of beginning of Line 1 described above; thence run westerly to a point on a line run parallel with and distant 20 feet southerly of the north line of Lot 1, Block 8, said Tingdale Bros.' Brookside, distant 15 feet west of its intersection with the east line of said Lot 1 and there terminating;

together with all right of access control, being the right of ingress to and egress from that part of Parcel 40B herein conveyed to the lands adjacent thereto.

All persons who desire to be heard with respect to the question of whether or not the above proposed street vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed street vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easement, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL

Marcella M. Daehn, City Clerk

1/1/74

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
CITY OF EDINA)

CERTIFICATE OF MAILING NOTICE

I, the undersigned, being the duly qualified acting City Clerk of the City of Edina, Minnesota, hereby certify that on the following date June 1, 19 87, acting on behalf of said City I deposited in the United States mail copies of the attached NOTICE OF PUBLIC HEARING - VACATION OF PORTION OF ARCADIA AVENUE (Exhibit A), enclosed in sealed envelopes, with postage thereon duly prepaid, addressed to the persons at the addresses as shown on the mailing list (Exhibit B) attached to the original hereof, which list is on file in my office, said persons being those appearing on the records of the County Auditor as owners of the property listed opposite their respective names, as of a date 14 days prior to the date of the hearing; and that I also sent said notice to the following corporations at the indicated addresses whose property is exempt from taxation and is therefore not carried on the records of said County Auditor.

<u>Name</u>	<u>Address</u>
_____	_____
_____	_____
_____	_____
_____	_____

WITNESS my hand and seal of said City this 1st day of June, 19 87.

Maunella M. Dachs

Edina City Clerk

CITY OF EDINA
4801 W. 50th Street
Edina, Minnesota 55424

NOTICE OF PUBLIC HEARING
ON VACATION OF EASEMENT FOR STREET PURPOSES
IN THE CITY OF EDINA
HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 W. 50th Street on Monday, June 15, 1987, at 7:00 p.m., for the purpose of holding a public hearing on the proposed vacation of the following street:

DESCRIPTION OF PORTION OF ARCADIA AVENUE TO BE VACATED

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PART OF PARCEL 20 S.P. 5-31-3 AND

PART OF PARCEL 38B S.P. 2733 (100=130) 903

That part of Tract A described below:

Tract A. All of Lots 1 and 2 except that part of said Lot 2 lying northerly of the following described line: Beginning at a point on the east line of said Lot 2 distant 20 feet south of the northeast corner thereof; thence running southwesterly to a point on the west line of said Lot 2, distant 40 feet south of the northwest corner thereof, Block 8, Tingdale Bros.' Brookside, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, the title thereto being registered as evidenced by Certificate of Title No. 539711; which lies northeasterly of Line 1 described below and southerly of Line 2 described below:

Line 1. Beginning at a point on a line run parallel with and distant 20 feet southerly of the north line of said Lot 1, distant 15 feet west of its intersection with the east line of said Lot 1, thence run southeasterly to a point on the east line of said Lot 1, distant 20 feet southerly of said intersection and there terminating;

Line 2. Beginning at the point of beginning of Line 1 described above; thence run easterly to a point on the north line of Lot 17, Block 7, said Tingdale Bros.' Brookside, distant 25 feet east of the northwest corner thereof and there terminating;

together with all right of access control, being the right of ingress to and egress from that part of Parcel 38B herein conveyed to the lands adjacent thereto.

PART OF PARCEL 40B S.P. 2733 (100=130) 903

That part of Tract A described below:

Tract A. Lots 1, 2, 3, 4, 5, 6, 12, 13, 14, 15, 16 and 17, Block 7, Tingdale Bros.' Brookside, including that portion of the south half of Yancy Street vacated, located between extensions northward of the east and west lines of Lots 1 and 17 of said Block 7, but excepting therefrom any portion of said Lots taken by the State of Minnesota for state highway purposes, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, the title thereto being registered as evidenced by Certificate of Title No. 594790;

which lies northwesterly of Line 1 described below and southerly of Line 2 described below:

Line 1. Beginning at a point on the north line of Lot 17 said Block 7 distant 25 feet east of the northwest corner thereof; thence run southwesterly to the southwest corner of said Lot 17 and there terminating;

Line 2. Beginning at the point of beginning of Line 1 described above; thence run westerly to a point on a line run parallel with and distant 20 feet southerly of the north line of Lot 1, Block 8, said Tingdale Bros.' Brookside, distant 15 feet west of its intersection with the east line of said Lot 1 and there terminating;

together with all right of access control, being the right of ingress to and egress from that part of Parcel 40B herein conveyed to the lands adjacent thereto.

All persons who desire to be heard with respect to the question of whether or not the above proposed street vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed street vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easement, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL

Marcella M. Daehn, City Clerk

MAILING LIST FOR VACATION OF ARCADIA AVENUE -

28-117-21-31-0007

Edina Building, Inc.
P.O. Box 35690
Edina, MN 55435

0008

Village of Edina

0009

Albert J. Grazzini
5100 Eden Avenue (36)

0010

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0011

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0012

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0013

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Village of Edina

0015

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0016

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0046

Regis Corporation
5075 Arcadia Avenue (36)

0047

Gus Youngs, Inc.
523 S. 8th Street
Minneapolis, MN 55404

0048

"

0043

Regis Corporation
5075 Arcadia Avenue (36)

0044

"

0045

Edina Building, Inc.
P.O. Box 35690
Edina, MN 55435

Stuart E. Fraser
NSP Normandale Fivision
5309 W. 70th Street
Edina, MN 55435

Don Romain
NW Bell Telephone Company
6244 Cedar Avenue So.
Richfield, MN 55423

Matt Haveland
Rogers Cablesystems
801 Plymouth Ave. No.
Minneapolis, MN 55411

Steven Von Vargen
Minnegasco, Inc.
700 Linden Ave. W.
P.O. Box 1165
Minneapolis, MN 55440-1165

DESCRIPTION OF PORTION OF ARCADIA AVENUE TO BE VACATED

That part of Arcadia Avenue as dedicated in the recorded plat of Tingdale Bros' Brookside according to the recorded plat thereof, Hennepin County, Minnesota, lying southerly of a line drawn from a point on a line run parallel with and distant 20 feet southerly of the north line of Lot 1, Block 8, said Tingdale Bros' Brookside distant 15 feet west of its intersection with the east line of said Lot 1, to a point on the north line of Lot 17, Block 7, said Tingdale Bros' Brookside, distant 25 feet east of the northwest corner of said Lot 17, Block 7, and lying northerly of the easterly extension of the north line of the roadway easement across Lots 5, 6, 7, said Block 8 as recorded under Document No. 1079434 in the office of the Registrar of Titles, Hennepin County, Minnesota.

PART OF PARCEL 20 S.P. 5-31-3 AND
PART OF PARCEL 388 S.P. 2733 (100-130) 903

That part of Tract A described below:

Tract A. All of Lots 1 and 2 except that part of said Lot 2 lying northerly of the following described line: Beginning at a point on the east line of said Lot 2 distant 20 feet south of the northeast corner thereof; thence running southwesterly to a point on the west line of said Lot 2, distant 40 feet south of the northwest corner thereof, Block 8, Tingdale Bros' Brookside, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, the title thereto being registered as evidenced by Certificate of Title No. 539711;

which lies northeasterly of Line 1 described below and southerly of Line 2 described below:

Line 1. Beginning at a point on a line run parallel with and distant 20 feet southerly of the north line of said Lot 1, distant 15 feet west of its intersection with the east line of said Lot 1, thence run southeasterly to a point on the east line of said Lot 1, distant 20 feet southerly of said intersection and there terminating;

Line 2. Beginning at the point of beginning of Line 1 described above; thence run easterly to a point on the north line of Lot 17, Block 7, said Tingdale Bros' Brookside, distant 25 feet east of the northwest corner thereof and there terminating;

together with all right of access control, being the right of ingress to and egress from that part of Parcel 388 herein conveyed to the lands adjacent thereto.

PART OF PARCEL 408 S.P. 2733 (100-130) 903

That part of Tract A described below:

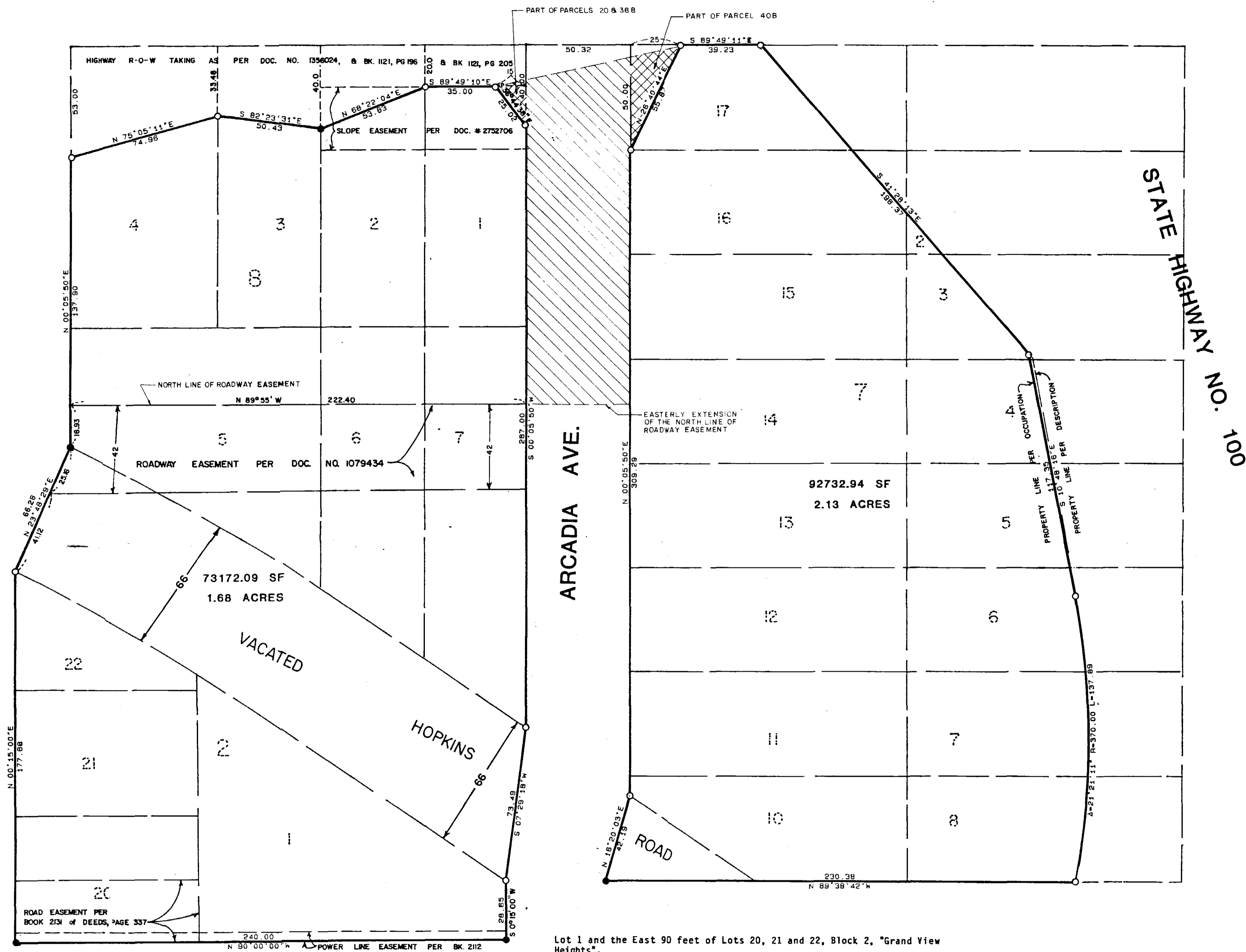
Tract A. Lots 1, 2, 3, 4, 5, 6, 12, 13, 14, 15, 16 and 17, Block 7, Tingdale Bros' Brookside, including that portion of the south half of Yancy Street vacated, located between extensions northward of the east and west lines of Lots 1 and 17 of said Block 7, but excepting therefrom any portion of said Lots taken by the State of Minnesota for state highway purposes, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, the title thereto being registered as evidenced by Certificate of Title No. 594790;

which lies northwesterly of Line 1 described below and southerly of Line 2 described below:

Line 1. Beginning at a point on the north line of Lot 17 said Block 7 distant 25 feet east of the northwest corner thereof; thence run southwesterly to the southwest corner of said Lot 17 and there terminating;

Line 2. Beginning at the point of beginning of Line 1 described above; thence run westerly to a point on a line run parallel with and distant 20 feet southerly of the north line of Lot 1, Block 8, said Tingdale Bros' Brookside, distant 15 feet west of its intersection with the east line of said Lot 1 and there terminating;

together with all right of access control, being the right of ingress to and egress from that part of Parcel 408 herein conveyed to the lands adjacent thereto.



LEGEND

earings are based on an assumed datum.
ench Mark: Top Nut Hydrant approximately 300 feet south of the intersection of Vernon Road and Arcadia Avenue and on the east side of Arcadia Avenue.
levation = 955.29 N.G.V.D. 1929.

- Denotes iron monument found in place.
- Denotes iron monument set.

I hereby certify that this is a true and correct representation of a survey of the boundaries of:

TORRENS

lots 1, 2, 3, 4, 5, 6, 7, 12, 13, 14, 15, 16 and 17, Block 7, "Tingdale Bros. Brookside", including that portion of the South 1/2 of Yancy Street vacated, located between extensions Northward of the East and West lines of Lots 1 and 17 of said Block 7, but excepting therefrom any portion of said lots taken by the State of Minnesota for State Highway purposes, according to the plat thereof on file or of record in the office of the Registrar of Deeds in and for said County.

Subject to a reservation by the State of Minnesota of mineral and mineral rights as to Lot 5, Block 7, "Tingdale Bros. Brookside".

Lot 1 and the East 90 feet of Lots 20, 21 and 22, Block 2, "Grand View Heights".
Lots 3 to 7 inclusive, Block 8, "Tingdale Bros' Brookside".
That part of Hopkins Road, vacated, lying between lines drawn across it from the Southeast corner of Lot 7, Block 8, "Tingdale Bros' Brookside", to the Northeast corner of Lot 1, Block 2, "Grand View Heights" and from the Southwest corner of Lot 5 in said Block 8 to the Northwest corner of the East 90 feet of Lot 22, in said Block 2, according to the recorded plat thereof.

Subject to a charge on the East 90 feet of said Lots 20, 21 and 22 of said Block 2 created by terms of the deed of record in Book 1970 of Deeds, Page 279;

Subject to the power line easement and incidental rights connected therewith as to the South 5' of said Lot 1 and the South 5' of the East 90 feet of said Lot 20 created by deed of record in Book 2112 of Deeds, Page 470;

Subject to an easement for road purposes over the South 30' of the East 90 feet of Lot 20, Block 2 created by deed of record in Book 2131 of Deeds, Page 337;

All of Lot 1 and Lot 2 except that part of said Lot 2 lying Northerly of the following described line: Beginning at a point on the East line of Lot 2 distant 20 feet South of the Northeast corner thereof; thence running Southwesterly to a point on the West line of said Lot 2 distant 40 feet South of the Northwest corner thereof, Block 8 "Tingdale Bros' Brookside", according to the plat thereof on file or of record in the office of the Registrar of Deeds in and for said County.

Subject to a slope easement on the Southerly 30 feet of the Northerly 50 feet of Lots 1 and 2, Block 8, "Tingdale Bros' Brookside" created by instrument of record, Doc No. 2752706, dated May 9, 1952 filed May 23, 1952 in Book 2633, page 242;

Subject to an easement for public road purposes as described in Doc. No. 1079434.

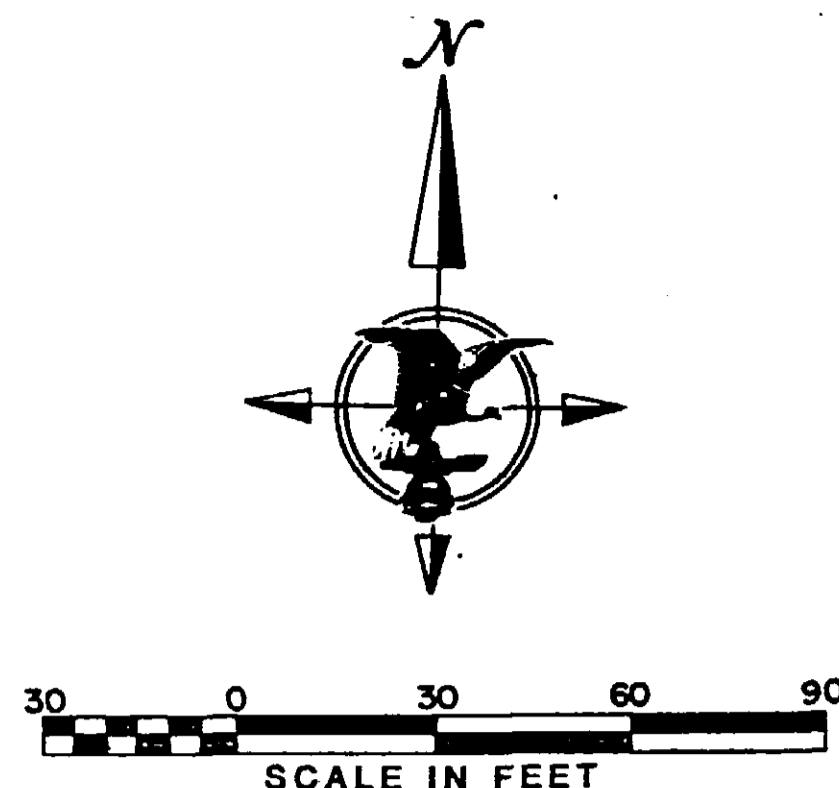
ABSTRACT

TRACT A:
Lots 8 and 11 and that part of Lot 10 and the Adjacent Hopkins Road, now vacated, lying North of the Westerly extension of the South line of Lot 8, all in Block 7, Tingdale Bros. Brookside, according to the plat thereof on file and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota.

As surveyed by me or under my direct supervision this 15th day of August, 1986.

Lyle C. Reynolds
Lyle C. Reynolds, Land Surveyor
Minnesota Reg. No. 13072

REVISED 5-21-87 FOR W.O.# 187-87



LEGEND

- AREA OF ARCADIA AVENUE TO BE VACATED
- ADJACENT AREAS TO BE VACATED

LAND TITLE SURVEY REGIS CORPORATION
HARRY S. JOHNSON & SONS, INC. BLOOMINGTON, MINN. 55401
SUITE 100 800 PENN. AVE. SO. PHONE 383-61
Page 1 OF 2
W.O. Number 241-86
File Number 1-3-4148